

# **Exhibit E**

to Declaration of Matthew Hooker

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September 1, 2022

**BY ELECTRONIC MAIL AND SECURE FILE TRANSFER**

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401 9<sup>th</sup> St. NW, Suite 1001  
Washington, DC 20004

**Re: Subpoena to OptumRx, Inc. Dated October 15, 2021**

Dear Mana, Linda and Paige:

With this letter and accompanying documents, OptumRx, Inc. (hereinafter "Optum," or "the Company") makes its second production in response to the Subpoena dated October 15, 2021, as clarified by our various telephone calls (the "Subpoena"). For ease of reference, this production has been labeled OPTUM1021\_002 and has been Bates-numbered OPTUM1021\_0000001-0000002.

This production includes a spreadsheet of the rebates, administrative fees, and price protection fees submitted by Optum to manufacturers of insulin products, and the amounts collected from those manufacturers, with respect to insulin prescriptions filled at pharmacies in the State of Hawai'i for which claims were submitted from Q1 2016 - Q3 2021. This production also includes a spreadsheet of transaction level data with respect to insulin prescriptions filled at pharmacies in the State of Hawai'i for which claims were submitted from Q1 2016 - Q3 2021.<sup>1</sup> Per our discussions, these spreadsheets do not include PHI; as such the transactions have been assigned scrambled claim numbers for ease of linking the two spreadsheets.<sup>2</sup>

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<sup>1</sup> Per your request, we included the following fields in addition to Total Member Paid: (1) Flat Copay (CLT\_FLAT\_COPAY\_AMT); (2) Co-insurance (CO\_INSURANCE\_AMT); and (3) Deductible (CLT\_ATTRIB\_TO\_DED\_AMT). We note, however, that those more granular fields may not add up to the Total Member Paid in every instance.

<sup>2</sup> As discussed, we are producing two separate spreadsheets as the requested data is maintained in different systems.

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September 1, 2022

The enclosed documents contain or constitute confidential business information, records, and/or trade secrets of Optum and we have branded them "CONFIDENTIAL" and are producing them pursuant to our May 18, 2022 Confidentiality Agreement with the State of Hawai'i Department of the Attorney General.

The submission of the enclosed materials does not waive, nor is it intended to waive, any rights, privileges, or immunities of Optum with respect to this matter, including any applicable attorney-client privilege, protection provided under the work-product doctrine, or other privilege or immunity that may exist. In the event of any inadvertent production of privileged materials, Optum requests that the government refrain from reviewing such materials and return the same promptly to Optum. Moreover, to the extent that non-responsive documents, pages, or information have been produced inadvertently, Optum does not agree to any expansion of the scope of your request. Optum expressly reserves any applicable privileges and immunities to which it is entitled under the law.

Please call me if you have any questions about any aspect of this letter or the enclosed documents.

Sincerely,

A handwritten signature in blue ink that reads "Allison J Caplis".

Allison J. Caplis  
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